



ATTORNEY  
DOCKET NO. 3248

CLEAN COPY OF AMENDED CLAIMS 1, 14, 16, 18, 23, 38, 40, 60 AND 63

- AD*
1. A hot-fill process using a vertical form and fill machine for continuously preparing packaged food portions consisting of two or more different food items wrapped in a flexible film, comprising the steps of:
- simultaneously and separately pumping each of the two or more food items to an extrusion location;
  - simultaneously and separately extruding each of the food items and longitudinally enclosing the food items in a tubular web of the film;
  - combining the food items into a predetermined food portion using a portion control method that varies the extrusion speed based on an amount of the food portion present, wherein the combined food items within the food portion retain their individual product identity;
  - and
  - sealing the food portion within the flexible film.

- AD*
14. A hot-fill process using a vertical form and fill machine for continuously preparing a packaged food portion consisting of two or more different food items wrapped in a flexible film, comprising the steps of:
- simultaneously and separately pumping each of the two or more food items to an extrusion location, simultaneously and separately extruding each of the food items and combining them into a food portion wherein the combined food items within the food portion

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*A<sup>2</sup>* retain their individual product identity, and longitudinally wrapping the food portion in a tubular web of the film:

forming the tubular web into a slice-shaped food portion using one or more flattening devices:

briefly maintaining separation of the food items following extrusion and prior to the formation of the web into a slice-shaped food portion using one or more divider plates; and

enclosing and sealing the food portion within the flexible film, wherein the food portions comprise slices and two or more generally planar-shaped extrusion nozzles are used to provide a laminate food slice, and wherein the food slices are sufficiently cohesive to permit manual removal of the food slice from the wrapper while substantially retaining textural and shape characteristics of the slice.

*A<sup>3</sup>* 16. The process of Claim 14, wherein the one or more divider plates are coated with a substance having a low coefficient of friction.

*A<sup>4</sup>* 18. The process of Claim 1, wherein the food portions comprise food slices which are continuously sealed and wrapped at a rate in excess of 300 slices/minute at a single-lane machine.

*A<sup>5</sup>* 23. The process of Claim 21, wherein the sensing mechanisms comprise one or more of the following: mass flow meters, transducers and level sensors.

38. A fluid-fill process using a vertical form and fill machine for continuously preparing and packaging food portions consisting of two or more different food items wrapped in a flexible film, comprising the steps of:

heating at least one of the two or more food items to a soft, molten mass while maintaining at least one of the two food items in a liquid state;

separately pumping each of the two or more food items to an extrusion location;

extruding each of the food items and combining them into a predetermined food portion using a portion control method that varies the extrusion speed based on an amount of the food portion present, wherein the food items maintain their individual product identity and organoleptic attributes; and

enclosing the food portions within the flexible film and hermetically sealing each food portion within a hermetically sealed package of the flexible film having hermetic longitudinal seals and a hermetic cross-seal.

40. A process using a vertical form and fill machine for continuously preparing and packaging conformed food slices consisting of nut butter and jelly wrapped in a flexible film, comprising the steps of:

heating and mixing the nut butter and jelly into a liquified mixture;

separately delivering each of the liquified nut butter and jelly to an extrusion location;

coextruding the nut butter and jelly so that each is combined into a predetermined food portion using a portion control method that varies the extrusion speed based on an amount of the food portion present, while permitting the nut butter and jelly within the food portion to maintain its individual product identity and organoleptic attributes;

converting each food portion into a generally slice-shape, wherein the food slices are sufficiently cohesive to permit manual removal of the food slice from the wrapper while substantially retaining textural and shape characteristics of the slice; and

wrapping the coextruded food slices within the flexible film and sealing each food slice within the wrapper.

60. A fluid-fill process using a vertical form and fill machine for continuously preparing food portions consisting of two or more different food items wrapped in a flexible film, wherein the food items maintain their individual product identity, comprising the steps of:

preparing each of the two or more different food items;

separately delivering each of the two or more food items to an extrusion location;

continuously coextruding the food items and combining them into a predetermined amount of the food portion using a portion control method that varies the extrusion speed based on an amount of the food portion present, while permitting the individual food items within the food portion to maintain their discrete product identities and individual organoleptic attributes; and

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forming the tubular web into a slice-shaped food product;

briefly maintaining separation of the food items following extrusion and prior to the formation of the web into a slice-shaped food product using one or more divider plates; and enclosing the food portion within the flexible film and sealing each food portion within the film.

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63. A fluid-fill process using a vertical form and fill machine for continuously preparing conformed food slices consisting of nut butter and jelly wrapped in a flexible film, comprising the steps of:

preparing the nut butter and jelly into a fluidic mixture;

delivering the fluidic mixture of the heated nut butter and jelly to an extrusion location;

continuously coextruding the nut butter and jelly;

simultaneously filling the coextruded nut butter and jelly within a tubular web of the flexible film, and longitudinally sealing the film using one or more longitudinal sealing bars to form a hermetic longitudinal seal;

forming the product-filled film into a slice-shaped form before longitudinal sealing of the film;

sealing the film at cross-sealing locations to form hermetic cross-seals; and

cooling the product-filled film either before or after cross-sealing of the film;

to thereby provide hermetically sealed food slices each of which contain the nut

**A9** butter and the jelly, the food slices being wrapped and hermetically sealed within the flexible film.